IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

Bail Appl..No. 5585 of 2007()

CRMP.5388/2007 of J.M.F.C., ADOOR
CRIME NO.693 OF 2007 OF ADOOR POLICE STATION

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: PETITIONERS/ACCUSED (IN CUSTODY)

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1. NAHAS @ SHIBU, S/O.HASSANKUTTY,
   KARINGALIKANDATHIL VEEDU, KADAKKADU MURI,
   PANDALAM VILLAGE.

2. HAKKIMSHA, S/O.SALI,
   THARAYIL VEEDU (RENTED HOUSE),
   MANAKKALA (FROM LEBBAVILLA VEEDU),
   KANNAMKODE MURI, ADOOR.

BY ADV. SRI.D.AJITHKUMAR

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM.

2. STATION HOUSE OFFICER, ADOOR.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/09/2007 ALONG WITH B.A.NOS.5591/07, 5593/07, 5594/07, 5595/07, 5596/07, 5597/07, 5591/07 & 5602/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.Nos.5585,5591,5593,5594,
5595,5596,5597
& 5602 of 2007

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Dated this the 18th day of September, 2007

ORDER

These applications are for regular bail. The petitioners had allegedly committed offences punishable, inter alia, under Section 379 and 392 IPC. The petitioners were arrested on 19.08.07. The crux of the allegations against the petitioners in these crimes is that traveling on their motor cycle they used to attack the victims and commit theft/robbery of articles in the possession of such victims. The petitioners were arrested on 19.8.07 in one crime. In the course of interrogation, after arrest, confession statement was made. The involvement of the petitioners in other crimes (some not registered and some registered later on the basis of the confession statement) was revealed. Investigation in these crimes are in progress.

2. The learned counsel for the petitioners submits that the petitioners are absolutely innocent. After their arrest on 19.08.07, false cases have been initiated against the petitioners.

3. The learned Public Prosecutor opposes the applications.

The learned Public Prosecutor submits that the Investigators have not received sufficent time to complete the investigation in all these crimes. Considering the number of crimes registered against the petitioners, some further time may be granted, it is prayed.

4. I find merit in the opposition by the learned Public Prosecutor . Investigators in a serious crime like this are certainly entitled to further time to complete the investigation. It would be unnecessary and improper to direct the release of the petitioners on bail at this early stage.

5. In the result, this petition is dismissed. However, I may hasten to observe that the petitioners shall be at liberty to move this court or the Sessions court for bail again at later stages of the investigation not, at any rate, prior to 3.10.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj